

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Marija BOGATAJ, et al.

Application No. 10/599,289

Filing Date:

International Filing: March 24, 2005

Confirmation No. 6552

Title: Gastroresistant Pharmaceutical Dosage Form Comprising
N-(2-(2-Phthalimidoethoxy)-Acetyl)-L-Alanyl-D-Glutamic Acid
(LK-423)

Group Art Unit:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Letter entitled "Decision on Papers Under 37 CFR 1.42" mailed October 1, 2009, Applicants enclose herewith the following document:

- 1) Declaration executed by administrator for estate of Anton LAVRIC on July 6, 2009, and identifying each inventor and the country of citizenship of each inventor in accordance with 37 CFR 1.497(a)(3).

In addition to the inclusion of the above-noted papers, Applicants also have determined that the International Application as published on October 6, 2005, contains a typographical error in the name of one of the inventors, Janez Kerc.¹ On the first page of the

¹ This is not to be taken as an indication or assurance that the subject application contains no other correctable or otherwise remediable errors, omissions, or the like, with respect to which Applicants and/or their Assignee(s) and/or any successor may wish to take appropriate action at some point in the future. Applicants, Assignee(s), and all successors and others who may be entitled to take such action expressly reserve and do not, by the present request, waive, their right to make any such other or further desired correction or remedial action they are or may be entitled

published International Application, the name appears as “Janez Kerk”, however, this is incorrect. The declaration as submitted in the United States correctly spells this inventor’s name as “Janez Kerc.” The origin or cause of this error is not known at this time, but it is believed to have arisen as a typographical error through inadvertence. Despite the typographical error, the inventors named in the International Application and in the present application should be identical. Please correct the spelling of inventor/ Applicant Kerc’s name to “Janez Kerc” on all papers and records pertaining to this case.²

The above is believed to constitute a full and complete response to the USPTO’s official Notification of Missing Requirements Under 35 U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US) issued on July 14, 2009. No further filing or other Government fees are believed to be currently due in connection with any part of this paper, any request made herein, or in regard to any other matter pertaining to this application. However, if any Government filing fees and other fees are required in connection with this response or paper or in any other respect or to complete this application and to commence examination of the same on the merits, please charge the same to our Deposit Account No. 12-2355.

Respectfully submitted,
LUEDEKA, NEELY & GRAHAM, P.C.
By: /Mark S. Graham/
Mark S. Graham
Registration No. 32,355

Date: December 30, 2009
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E-filing

to make or take, in their sole discretion.

² Also enclosed is a copy of the Application Data Sheet filed with the application which reflects the correct spelling of the 10th inventor, “Kerc.”